

Excerpted Depo. Tr.

Thomas Oates

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1 can answer.

2 A. It would be just in my capacity as, most
3 recently, a Deputy Chief. I respond to various
4 calls during the day, patrol calls. I follow
5 them at different times and interact with the
6 people that are working.

7 Q. Okay. Let's talk about before June 16th, 2012,
8 which I'm going to represent to you was the date
9 of the Lieutenant's promotional exam. Prior to
10 June 16, 2012, had you had an opportunity or an
11 occasion to observe Sergeant Mancini performing
12 his job duties?

13 A. Probably not.

14 Q. So your experience in observing Sergeant Mancini
15 performing his job duties is more of a recent
16 thing; right?

17 A. Correct.

18 Q. Have you ever been given a recommendation of
19 service points for a promotional candidate during
20 your employment?

21 A. Yes.

22 Q. How many times?

23 A. Several.

24 Q. When was the most recent?

25 A. Whenever our last promotional process was,

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1 meeting or after the meeting?

2 A. The Colonel and I met after at some point
3 before the points were submitted.

4 Q. Why did you recommend he get a zero?

5 A. I had a discussion with the Colonel, and the
6 Colonel told me, after speaking with other
7 members of the department and the command staff,
8 that he felt that he was going to give Sergeant
9 Mancini a zero. He told me his reasoning at the
10 time, and I said, If that's what you intend to
11 give him, then so be it, you're the Colonel.

12 Q. What was his reasoning for giving Sergeant
13 Mancini a zero?

14 A. He said that he had spoken to individuals in
15 the command staff who had approached him and
16 didn't recommend him for the next position as
17 Lieutenant, that there were issues with Sergeant
18 Mancini, and he didn't relate specifics, but
19 that's what his points were.

20 Q. Who were the individuals that came to him?

21 A. I don't know.

22 Q. Was it the -- was it anybody that was present at
23 that meeting?

24 A. I don't know.

25 Q. Did you fill out a score sheet at the meeting?

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1 A. I'm not certain of the dates. That's why I
2 can't say for certain.

3 Q. Let's look at the last page. Is that your
4 handwriting on the last page?

5 A. No.

6 Q. Do you know whose it is?

7 A. No.

8 Q. Have you ever seen this type of -- for the
9 purpose of this deposition, we're going to say
10 evaluation form. Have you ever seen anything
11 like this?

12 A. Not that I recall, no.

13 Q. Have you ever heard about any disagreements
14 between Sergeant Mancini and Colonel Clements?

15 A. Not that I'm aware of.

16 Q. Irrespective of whether this was discussed at the
17 meeting for the purpose of awarding service
18 points, have you ever heard anybody say anything
19 negative about Sergeant Mancini about his work
20 performance or his fitness to be a police
21 officer?

22 A. Not off the top of my head.

23 Q. Did you ever hear anybody -- irrespective of
24 whether it happened at that meeting, have you
25 ever heard anybody say that Sergeant Mancini had

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1 a bad attitude?

2 A. I might have heard that.

3 Q. From whom?

4 A. Some of the supervisors. I don't have recall
5 on which particular one.

6 Q. When?

7 A. Don't have any recall on that either.

8 Q. So how do you know they said it?

9 A. It's a small organization, there's comments
10 made continually about different people. I'm
11 sure there's comments made about me continually.
12 To the specific dates and times as to who said it
13 and how much credence there is to it, I don't
14 know.

15 Q. Did you ever hear anybody say that Sergeant
16 Mancini was not a team player?

17 A. I could have, yeah, at different times. I
18 might have heard that.

19 Q. From whom?

20 A. Nobody in particular, again.

21 Q. When?

22 A. No recall on any specific dates.

23 Q. So how do you know it happened?

24 A. I don't.

25 Q. You just said you heard it.